IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR.

O R D E R

Mst. Barji. Versus State of Rajasthan.

S.B. Criminal Misc. Petition No.1183/2005
against the order dated 17-8-2005 passed
by the Additional Sessions Judge No.1,
Chittorgarh, in Criminal Appeal No. 49/2005.

...

Date of Order: July 07, 2006

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

Mr. Manish Shishodia, for the petitioner.
Mr. Ashok Upadhyaya, Public Prosecutor for the State.

BY THE COURT:

By the instant criminal miscellaneous petition under Section 482 Cr.P.C., the petitioner has assailed the order dated 17-8-2005 passed by the Additional Sessions Judge No.1, Chittorgarh (for short,"the Appellate Court" hereinafter) in Criminal Appeal No.49/2005, whereby the Appellate Court, while suspending the substantive sentence of imprisonment, declined to suspend the sentence of fine during pendency of the appeal.

Heard learned counsel for the petitioner and the Public Prosecutor for the State.

Vide order dated 26-10-2005, this Court directed that if the petitioner has already furnished the bail bonds and

personal bonds as per the order dated 17-8-2005 passed by the Appellate Court, the substantive sentence as well as the sentence of fine may be treated as suspended till next date of hearing. Keeping in view the interim order of this Court, it is just and proper to direct the Appellate Court to hear and decide the appeal filed by the petitioner-appellant utmost expeditiously and till the decision of the appeal, the interim order of this Court dated 26-10-2005 shall remain continue.

With these observations, the criminal miscellaneous petition stands disposed of. The stay petition also stands disposed of in the above terms.

(H.R. PANWAR), J.

mcs